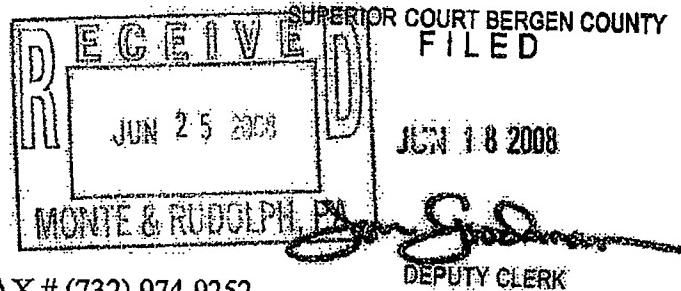


# EXHIBIT B

Our File No.: 57976  
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Attorneys for defendant, Circuit City Stores, Inc.



JAMES FOUSKEY	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
Plaintiff	:	BERGEN COUNTY
v.	:	DOCKET NO: BER-L-3271-08
CIRCUIT CITY STORES INC.,	:	CIVIL ACTION
WAYNE VF, LLC, VORNADO	:	
TRUST, JOHN DOES 1-20 AND	:	ANSWER, CROSSCLAIMS,
ABC CORPS. 1-20 (fictitious	:	ANSWER TO CROSSCLAIMS,
names)	:	DEMAND FOR STATEMENT OF
Defendants	:	DAMAGES CLAIMED,
	:	JURY DEMAND AND
	:	DESIGNATION OF TRIAL COUNSEL

Defendant, Circuit City Stores, Inc., by way of answer to plaintiff's complaint,  
hereby says:

FIRST COUNT

1. At this time, defendant Circuit City lacks knowledge and/or information sufficient enough to form a belief as to the truth of the allegations in this paragraph, and therefore, denies same and leaves plaintiff to his proofs.
2. Denied as stated.
3. All allegations against defendant Circuit City are denied.

4. All allegations of negligence and proximate cause as to defendant Circuit City are denied.

WHEREFORE, defendant Circuit City demands judgment dismissing plaintiff's complaint, together with all fees, interest and costs.

FIRST SEPARATE DEFENSE

Plaintiff's complaint fails to state a claim upon which relief can be granted.

SECOND SEPARATE DEFENSE

Plaintiff failed to effectuate proper service of process on this defendant.

THIRD SEPARATE DEFENSE

Defendant was not negligent and did not breach any duty to plaintiff.

FOURTH SEPARATE DEFENSE

Plaintiff's claims are barred or reduced for his failure to mitigate damages.

FIFTH SEPARATE DEFENSE

There were intervening and/or superseding causes of plaintiff's accident and damages beyond the control of this defendant.

SIXTH SEPARATE DEFENSE

Any damages allegedly sustained by plaintiff were the direct result of the acts, omissions and/or negligence of other persons, parties and/or entities over whom defendant had no control or authority.

SEVENTH SEPARATE DEFENSE

Plaintiff's claims are barred by the statute of limitations and/or statute of repose

EIGHTH SEPARATE DEFENSE

Plaintiff was comparatively negligent and said negligence was greater than the negligence, if any, of defendant. In the event that plaintiff's comparative negligence is adjudged to be not greater than the negligence of defendant, then plaintiffs' damages shall be reduced and diminished by the percentage of his negligence under the Comparative Negligence Act, and defendant is entitled to all rights, credits, defenses and set-offs under said Act.

NINTH SEPARATE DEFENSE

This court lacks subject matter and personal jurisdiction.

TENTH SEPARATE DEFENSE

Plaintiffs' complaint and pleadings as to this defendant are frivolous under the New Jersey Rules of Court and New Jersey's frivolous pleading statute, and defendant reserves the right to seek recovery of all costs and fees associated with this frivolous pleading.

CROSSCLAIMS FOR INDEMNIFICATION

While denying any liability, if judgment or monies are recovered by plaintiff against defendant Circuit City, then Circuit City's liability is merely passive, vicarious, imputed, indirect, secondary, and/or constructive. The damages to plaintiff, if any, were the direct and proximate result of the co-defendants' negligence, or the result of the co-defendants' breach of an express, written or implied agreement, lease or contract with Circuit City, and Circuit City hereby demands judgment, common law indemnification, a defense, and contractual indemnification from the co-defendants for all sums and damages as may be found against and from Circuit City, including all costs and attorney fees.

CROSSCLAIMS FOR CONTRIBUTION

While denying any liability, defendant Circuit City demands judgment and/or contribution from and against all the co-defendants for a proportionate share of any sums or damages that may be adjudged against Circuit City pursuant to the Joint Tortfeasors Contribution Act and the Comparative Negligence Act, including all costs and attorney fees. Defendant Circuit City seeks all credits, rights and set-offs under these Acts.

ANSWER TO ALL CROSSCLAIMS

Defendant Circuit City hereby denies each and every allegation contained in any and all current or future crossclaims asserted against them.

DEMAND FOR STATEMENT OF DAMAGES CLAIMED

Defendant demands that plaintiff, within five (5) days after the service hereof, furnish defendant with a written statement of the amount of damages claimed pursuant to R. 4:5-2.

JURY DEMAND

Defendant Circuit City demands a trial by jury on all issues.

DESIGNATED TRIAL COUNSEL

Pursuant to R. 4:5-1(c), Stephen A. Rudolph, Esquire is hereby designated as trial counsel for defendant Circuit City Stores, Inc.

CERTIFICATION

I do hereby certify that the within pleading was filed within the time permitted by R. 4:6. I further certify that all counsel of record appearing in the within Civil Action are

being served with copies of this pleading, said service being made pursuant to the provisions of R. 1:5.

CERTIFICATION PURSUANT TO RULE 4:5-1

The undersigned, Stephen A. Rudolph, Esquire, certifies on behalf of defendant as follows:

1. I am an attorney at law of the State of New Jersey with the firm of Monte & Rudolph, Esqs., counsel for defendant Circuit City.
2. This matter is not the subject of any other action pending in any court or arbitration proceeding, nor is any action or arbitration proceeding contemplated.
3. I am not aware of any other parties who should be joined in this action at the present time.
4. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the statements made by me are willfully false, I am subject to punishment.

MONTE & RUDOLPH  
Counselors at Law, P.A.  
Attorneys for defendant,  
Circuit City Stores, Inc.



STEPHEN A. RUDOLPH

Dated: June 16, 2008